

PROTECT YOURSELF AGAINST OVERCHARGES AT THE CHECKSTAND:
ALWAYS CHECK RECEIPTS

Consumers should always check their receipts for accuracy, particularly at times when businesses have large sales such as just before holidays or the advent of the summer season.

California law says that it is unlawful at the time of sale to charge an amount greater than the price that is advertised, posted, marked, displayed, or quoted. Any requirements that a buyer needs to meet to get the sale price must be conspicuously posted. The seller must honor the price on posted sale signs even when that price was posted in error. (An exception would be when the lower posted price is so much lower than the regular price that a reasonable person would not expect to pay that price. These instances are extremely rare.)

Overcharges do occur and are something that consumers should keep in mind. A 2008 statewide price verification survey conducted by the California Division of Measurement Standards found that 83 percent of stores inspected in the survey had no overcharges while 17 percent did have overcharges.

It is not uncommon in stores for sellers to extend sales dates. In other cases, store personnel sometimes fail to remove old price signs or incorrectly post the sale price before the sale begins. The seller must honor the price on posted sale signs, regardless of any dates.

How do buyers know the right price? If a sign indicates, "2 for \$2" the buyer may not know whether they must buy two items or not. In fact whether the product is peaches or an individually priced item, state law says that merchants are not to charge a price that is greater than the true extension of a price per unit, which in this example would be \$1.00.

But what if the sign says, "2 for \$2, 1 at regular price"? Again, the law says that any requirements that a buyer needs to meet to get the sale price must be conspicuously posted. This offering indicates that a minimum purchase is required so the consumer would be expected to pay \$1.00 each if two items are purchased or the regular price if they purchased only one.

Contra Costa County Weights and Measures Inspectors regularly inspect price scanners for accuracy and will respond to complaints. In addition to routine audits, inspectors sometimes make undercover purchases. When an item is overcharged in either of these instances, the store will receive a Notice of Violation. Inspectors will return to do a follow-up inspection to see if the store continues to have overcharges. If there are multiple overcharges, or egregious overcharges, the store will receive an administrative penalty from the County

Director of Weights and Measures. Businesses operating only in Contra Costa County which continue to have pricing errors after receiving administrative penalties may be prosecuted by the Contra Costa County's District Attorney's Office.

Any chain stores that have consistent overcharges are investigated on a statewide basis. If the investigation finds a significant problem, the County District Attorney or State Attorney General will be contacted so that the business can be prosecuted either civilly or criminally.

Consumers who believe they have been overcharged should first attempt to seek resolution with store management. If this fails, a complaint may be filed against the store by phoning the Contra Costa County Department of Agriculture's Division of Weights and Measures 925-608-6600. Consumers' names are considered confidential and will not be released to store personnel.